

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

YAMIL RIVERA-KADER,

Defendant.

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8:02CR164

ORDER

This matter is before the court on defendant's motion to continue trial (#480). The defendant has retained substitute counsel. Upon the representations that opposing counsel does not object, and that the defendant will file a waiver of speedy trial in accordance with NECrimR 12.1,

IT IS ORDERED that the motion to continue trial (#480) is granted, as follows:

1. Trial of this matter is continued from **March 28, 2006** to **May 16, 2006** before Judge Laurie Smith Camp and a jury.

2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **March 28, 2006 and May 16, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

3. Defendant shall file a speedy trial waiver as soon as is practicable.

DATED March 21, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**